

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

DAVID A. FENNER

PLAINTIFF

VS.

CIVIL NO. 06-5156

MICHAEL J. ASTRUE<sup>1</sup>, Commissioner  
SOCIAL SECURITY ADMINISTRATION

DEFENDANT

**J U D G M E N T**

For reasons stated in the memorandum opinion of this date, we hereby affirm the decision of the Commissioner and dismiss plaintiff's case with prejudice. **The parties have sixty days from entry of the judgment on the docket in which to appeal.**

IT IS SO ORDERED AND ADJUDGED this 12th day of July 2007.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>Michael J. Astrue became the Social Security Commissioner on February 12, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue has been substituted for Commissioner Jo Anne B. Barnhart as the defendant in this suit.